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**TRANSMITTAL
FORM***(to be used for all correspondence after initial filing)*

Total Number of Pages in This Submission

15

Application Number 10/783,671

Filing Date February 20, 2004

First Named Inventor Walter K. Proniewicz

Art Unit 3736

Examiner Name Winakur, Eric F

Attorney Docket Number 64154-5006

RECEIVED

CENTRAL FAX CENTER

APR 14 2005

ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
☐ Fee Attached
☐ Amendment/Reply
☐ After Final
☐ Affidavits/declaration(s)
☐ Extension of Time Request
☐ Express Abandonment Request
☐ Information Disclosure Statement
☐ Certified Copy of Priority Document(s)
☒ Reply to Missing Parts/
Incomplete Application
☒ Reply to Missing Parts
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
☐ Licensing-related Papers
☐ Petition
☐ Petition to Convert to a
Provisional Application
☐ Power of Attorney, Revocation
Change of Correspondence Address
☐ Terminal Disclaimer
☐ Request for Refund
☐ CD, Number of CD(s) _____
☐ Landscape Table on CD

- ☐ After Allowance Communication to TC
☐ Appeal Communication to Board
of Appeals and Interferences
☐ Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
☐ Proprietary Information
☐ Status Letter
☐ Other Enclosure(s) (please identify
below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name JEFFER, MANGELS, BUTLER & MARMARO LLP

Signature

Printed name George G. C. Tseng

Date

4/14/05

Reg. No.

41,355

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Via Facsimile (703) 746-4060

Signature

Karen Earl

Typed or printed name

Karen Earl

Date

04/14/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Practitioner's Docket No. 64154-5006

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Walter K. Proniewicz, Dale E. Winther

Application No.: 10/783,671

Group No.: 3736

Filed: February 20, 2004

Examiner: Winakur, Eric F

For: NONINVASIVE MEASUREMENT SYSTEM

Mail Stop: Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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APR 14 2005

COMPLETION OF FILING REQUIREMENTS
—NONPROVISIONAL APPLICATION

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed April 14, 2005.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. Applicant submits that the executed Declaration PTO/SB/01 was mailed to the USPTO on September 21, 2004, as evidenced by copies of the Express Mail Certificate, and return receipt

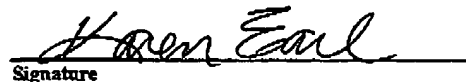
CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

TRANSMISSION

☒ Facsimile transmitted to the Patent and Trademark Office, (703) 746-4060.


Signature

Date: April 14, 2005

Karen Earl

(Type or print name of person certifying)

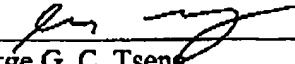
* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

postcard attached herewith. Enclosed is a copy of this transmittal, which includes a copy of the original declaration for this application.

III. Applicant respectfully requests the issuance of an Updated Filing Receipt showing that the Declaration has been filed.

Respectfully submitted,

Date: April 14, 2005



George G. C. Tseng
Registration No. 41,355
JEFFER, MANGELS, BUTLER & MARMARO LLP
1900 Avenue of the Stars
Seventh Floor
Los Angeles, CA 90067
310-203-8080
Customer No. 24574

GCT/ke1
Enclosures



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/783,671	02/20/2004	Walter K. Proniewicz	64154-5006

24574

JEFFER, MANGELS, BUTLER & MARMARO, LLP
1900 AVENUE OF THE STARS, 7TH FLOOR
LOS ANGELES, CA 90067

CONFIRMATION NO. 7285

FORMALITIES LETTER



OC000000015668144

Date Mailed: 04/06/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

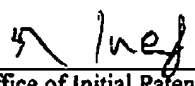
*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
Note: If a petition under 37 CFR 1.47 is being filed, an oath or declaration in compliance with 37 CFR 1.63 signed by all available joint inventors, or if no inventor is available by a party with sufficient proprietary interest, is required.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*




Office of Initial Patent Examination (703) 308-1202

✓ PART 2 - COPY TO BE RETURNED WITH RESPONSE ✓

64154-50

BEST AVAILABLE COPY

COPY

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PO Zip Code 90067	Day of Delivery <input type="checkbox"/> Next <input checked="" type="checkbox"/> Second <input type="checkbox"/> Third	Flat Rate Envelope <input type="checkbox"/>	Delivery Address No. Day 1 310 203 0567	Time <input type="checkbox"/> AM <input type="checkbox"/> PM
Weight 5.2 lb	Military <input type="checkbox"/> 1st Day <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day	Postage \$ 13.65	Delivery Attempt No. Day 1 310 203 0567	Time <input type="checkbox"/> AM <input type="checkbox"/> PM
No Delivery <input type="checkbox"/>	Adaptation Code 00	Return Receipt Fee <input type="checkbox"/>	Employee Signature 	Employee Signature
Total Postage & Fees \$ 13.65	COD Fee <input type="checkbox"/>	Insurance Fee <input type="checkbox"/>	Employee Signature 	Employee Signature
FROM: (PLEASE PRINT) JEFFER MANGELS BUTLER & MARRARD 1900 AVENUE OF THE STARS FL 7 LOS ANGELES CA 90067-4308		TO: (PLEASE PRINT) M.S. Missing Parts Commissioner for Patents P.O. BOX 1450 Alexandria, VA 22313-1450		
GLT/KE 64154-5006		FOR PICKUP OR TRACKING CALL 1-800-222-1811 www.usps.com		

KEI

COPY

PATENT	
Serial/Patent No. <u>10/783,671</u>	File No. <u>64154-5006</u> Date Mailed <u>9/21/04</u> By: <u>GCT/KEI</u>
Title: <u>Noninvasive measurement system</u>	
Client Name: <u>Q Step Technologies, Inc.</u>	
The Following, due <u>9/21/04</u> in the US Patent and Trademark Office, was received in the Patent and Trademark Office on the date stamped hereon:	
<input type="checkbox"/> Amendment/Response <input type="checkbox"/> Application for Patent including <u> </u> Pages of Spec.; No. of Claims <u> </u> <input type="checkbox"/> Drawings: # of Sheets <u> </u> <u> </u> Formal <u> </u> Informal <input checked="" type="checkbox"/> Declaration, Affidavit or Oath, Power of Attorney <input type="checkbox"/> Assignment w/PTO Form 1595 <input type="checkbox"/> Verified Statement <input type="checkbox"/> Form 1082 - New Appln. Transmittal (duplicate) <input type="checkbox"/> Petition for Extension of Time <input type="checkbox"/> Check No. <u> </u> for \$ <u> </u> <input type="checkbox"/> Check No. <u> </u> for \$ <u> </u> <input type="checkbox"/> Check No. <u> </u> for \$ <u> </u> <input checked="" type="checkbox"/> Client's credit card \$ <u>65.00</u>	<input checked="" type="checkbox"/> Transmittal Letter - <u>Completion of Filing</u> <input type="checkbox"/> Issue Fee Transmittal (duplicate) <input type="checkbox"/> Maintenance Fee Transmittal <input type="checkbox"/> Letter Re <u> </u> <input type="checkbox"/> Notice of Appeal <input type="checkbox"/> Priority: <u> </u> <input type="checkbox"/> Certified Copy: # <u> </u> of Docs. <input type="checkbox"/> Information Disclosure Statement w/ <u> </u> cited references <input checked="" type="checkbox"/> Express Mail No. <u>EVA7283227845</u> <input checked="" type="checkbox"/> Certificate of Mailing <input checked="" type="checkbox"/> <u>Request for Corrected Filing</u> <input type="checkbox"/> <u>Receipt</u>

COPY

Practitioner's Docket No. 64154-5006

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Walter K. Proniewicz, Dale E. Winther

Application No.: 10/783.671

Group No.: 3736

Filed: February 20, 2004

Examiner: Winakur, Eric F

For: NONINVASIVE MEASUREMENT SYSTEM

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**COMPLETION OF FILING REQUIREMENTS
—NONPROVISIONAL APPLICATION**

I. This replies to the Notice to File Missing Parts of Application (PTO-1533) mailed July 21, 2004.

A copy of the Notice to File Missing Parts of Application--Filing Date Granted (Form PTO-1533) is enclosed.

DECLARATION OR OATH

II. No declaration or oath was filed. Enclosed is the original declaration or oath for this application.

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☒ as "Express Mail Post Office to Addressee"
Mailing Label No. EV272832278US (mandatory)

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (703) _____

Signature

Date: September 21, 2004

Karen Earl

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

Completion of Filing Requirements—Nonprovisional Application--page 1 of 3

COPY

Attached is a Statement by a registered attorney that the application filed in the PTO is the application that the inventor executed by signing the declaration.

SMALL ENTITY STATUS

III. An assertion that this filing is by a small entity was filed on February 20, 2004 (original).

COMPLETION FEES**IV.**

1. Surcharge Fees	
Late payment of filing fee	
and/or late filing of original	
declaration or oath	
(37 C.F.R. § 1.16(e))	\$65.00
 Total Completion Fees	 \$65.00

EXTENSION OF TIME

V. The proceedings herein are for a patent application, and the provisions of 37 C.F.R. § 1.136(a) apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

TOTAL FEE DUE**VI. The total fee due is:**

Completion fees	\$65.00
Extension fee (if any)	\$0.00
 Total Fee Due	 \$65.00

COPY**PAYMENT OF FEES**

VII. Authorization is hereby made to charge the amount of \$65.00 to Credit card as shown on the attached credit card information authorization form PTO-2038.

If any additional fees are due in this matter, please charge our Deposit Account No. 10-0440.

Date: _____

9/21/04

Respectfully submitted,



George G. C. Tseng
Registration No. 41,355
JEFFER, MANGELS, BUTLER & MARMARO
LLP
1900 Avenue of the Stars
Seventh Floor
Los Angeles, CA 90067
310-203-8080
Customer No. 24574

COPY**Practitioner's Docket No. 64154-5006****PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Walter K. Proniewicz, Dale E. Winther

Application No.: 10/783,671

Group No.: 3736

Filed: 02/20/2004

Examiner: Winakur, Eric F

For: NONINVASIVE MEASUREMENT SYSTEM

Commissioner for Patents**P.O. Box 1450****Alexandria, VA 22313-1450****STATEMENT BY PRACTITIONER THAT APPLICATION FILED IN PTO
IS THE ONE INVENTORS EXECUTED BY SIGNING DECLARATION**

I,

George G. C. Tseng
1900 Avenue of the Stars
Seventh Floor
Los Angeles, CA 90067
Reg. No. 41,355
Tel. No. 310-203-8080

state I am the registered practitioner for this application and the application identified above is the application that the inventor(s) executed by signing the declaration that is being submitted herewith.


SIGNATURE OF PRACTITIONER

Customer No.: 24574

COPY**UNITED STATES PATENT AND TRADEMARK OFFICE**

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/783,671	02/20/2004	Walter K. Proniewicz	64154-5006

24574

JEFFER, MANGELS, BUTLER & MARMARO, LLP
1900 AVENUE OF THE STARS, 7TH FLOOR
LOS ANGELES, CA 90067

CONFIRMATION NO. 7285

FORMALITIES LETTER

OC00000013297380

Date Mailed: 07/21/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.13(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE